

EXHIBIT A

Hattie Holmes Sullivan
Hattie Holmes Sullivan, Clerk
Richmond County, Georgia

**IN THE STATE COURT OF RICHMOND COUNTY
STATE OF GEORGIA**

CHARVETTE E. MONROE, as Executrix of
the ESTATE OF MARGIE G. EVANS,

Plaintiff,

v.

JOHNSON & JOHNSON, a Foreign
Corporation, JOHNSON & JOHNSON
CONSUMER, INC., a Foreign Corporation,
f/k/a JOHNSON & JOHNSON CONSUMER
COMPANIES, INC., IMERYS TALC
AMERICA, INC., a Foreign Corporation f/k/a
LUZENAC AMERICA, INC., f/k/a RIO
TINTO MINERALS, INC., PTI ROYSTON,
LLC, a Georgia Limited Liability Company
d/b/a PHARMA TECH INDUSTRIES, and
JOHN DOE CORPORATIONS No.s 1-10

Defendants.

CIVIL ACTION FILE NO. 2018RCSC01222


ORDER REGARDING PLAINTIFF'S MOTION TO SEVER PROCEEDINGS

Before the Court is Plaintiff's motion to sever her claims as to Johnson & Johnson, Johnson & Johnson Consumer, Inc., and PTI Royston, LLC so that she may proceed against these defendants separately from Imerys Talc America, Inc. ("ITA"). ITA has filed for Chapter 11 bankruptcy protection in the United States Bankruptcy Court for the District of Delaware (Case No. 19-10289-LSS), and this action has been automatically stayed as against ITA. Defendants Johnson & Johnson, Johnson & Johnson Consumer, Inc., and PTI Royston, LLC have consented to Plaintiff's motion to sever.

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To avoid prejudice from the delay occasioned by the automatic bankruptcy stay of claims asserted against ITA, and to allow for the prompt pursuit of the claims asserted against the non-bankruptcy Defendants, Plaintiff's motion to sever is hereby GRANTED. *See* OCGA § 9-11-42.

SO ORDERED this 19th day of March, 2019.



Patricia W. Booker, Judge
State Court of Richmond County

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MARGIE G. EVANS v. JOHNSON & JOHNSON
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Richmond County, Georgia

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CIVIL ACTION FILE NO. 2018RCSC01222

**ORDER REGARDING PLAINTIFF'S PRIMA-FACIE EVIDENCE OF
PHYSICAL IMPAIRMENT**

HAVING CONSIDERED Plaintiff's motion for an order establishing prima-facie evidence pursuant to O.C.G.A. § 51-14-1, et.seq., the record, and the arguments of the parties,¹ the Court finds and rules as follows:

1. Plaintiff's Complaint alleges that Margie Evans was exposed to asbestos and developed ovarian cancer as a result of her use of Johnson & Johnson's Baby Powder.

¹ Defendant Imerys Talc America, Inc. has filed for bankruptcy and, accordingly, any proceedings against them have been automatically stayed pursuant to 11 U.S.C. § 362(a)(1) & (b).

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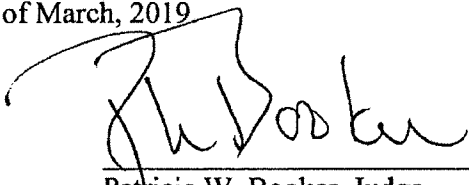
2. Establishing prima-facie evidence of physical impairment of an exposed person is an essential element and a prerequisite for bringing an asbestos exposure claim under OCGA § 51-14-1 *et. seq.* See OCGA § 51-14-3.

3. With her Complaint, Plaintiff attached a Medical Report and an Affidavit from Richard Kradin, M.D., a Board Certified Anatomic Pathologist with Massachusetts General Hospital and Harvard Medical School.

4. Defendants filed no opposition challenging Dr. Kradin's findings and conclusions within 90 days from service of Plaintiff's complaint. See OCGA § 51-14-(6)(2)(B).

5. In accordance with the requirements of OCGA § 51-14-6(2)(E), based on the papers and documentation submitted with the Complaint, and considering the requirements of OCGA § 51-14-1 *et. seq.* and Defendants' lack of opposition, the Court hereby determines that Plaintiff has established prima-facie evidence of physical impairment and may pursue her claims under OCGA § 51-14-1 *et. seq.* Pursuant to O.C.G.A. § 51-14-8, discovery may commence as of the date of this order.

SO ORDERED this 19th day of March, 2019



Patricia W. Booker, Judge
State Court of Richmond County

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 **FILED IN OFFICE**
CLERK OF STATE COURT
RICHMOND COUNTY, GEORGIA
2018RCSC01222
PATRICIA W. BOOKER
APR 05, 2019 01:52 PM


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Defendants.

CIVIL ACTION FILE

NO. 2018RCSC012222

CASE MANAGEMENT ORDER

Plaintiff and each of the above-named Defendants, except Defendants Imerys Talc America, Inc., a foreign corporation f/k/a Luzenac America, Inc., f/k/a Rio Tinto Minerals, Inc.,¹ by and through their respective undersigned counsel of record, jointly request that the Court enter the Initial Case Management Order in this matter, as follows:


1. Plaintiff's experts shall be identified on or before **SEPTEMBER 2, 2019** and
deposed on or before **OCTOBER 14, 2019**.
2. Defendants' experts shall be identified on or before **NOVEMBER 1, 2019** and
deposed on or before **DECEMBER 20, 2019** which shall be the close of discovery.

¹ Defendant Imerys Talc America, Inc. has filed for bankruptcy and, accordingly, any proceedings against it have been automatically stayed pursuant to 11 U.S.C. § 362(a)(1) & (b).

3. Rebuttal experts shall be designated by all parties on or before **JANUARY 6, 2020** and shall be produced for deposition on or before **FEBRUARY 2, 2020**.
4. Deadline for the parties to conduct mediation is on or before **MARCH 30, 2020**.
5. The deadline to file *Daubert* and dispositive motions shall be on or before **FEBRUARY 17, 2020**.
6. Oppositions to any *Daubert* or dispositive motions shall be filed on or before **MARCH 9, 2020**.
7. Any replies to any oppositions to any *Daubert* or dispositive motions shall be filed on or before **MARCH 23, 2020**.
8. On or before **MARCH 31, 2020**, the parties shall serve upon each other (but not file) a list of all witnesses, (including known impeachment and rebuttal witnesses) which the party might call at trial and a schedule of all exhibits which a party may offer at trial numbered sequentially, deposition designations, and all motions in limine.
9. *Daubert* and dispositive motions will be heard on **APRIL 15, 2020** commencing at 9:30 a.m. Prior to this date, the Court will discuss with the parties whether any witnesses shall be required to appear at the *Daubert* hearing.
10. On or before **APRIL 20, 2020**, the parties shall file objections and counter designations to deposition designations, as well as responses to motions in limine.
11. A proposed, consolidated pre-trial order shall be filed no later than **APRIL 28, 2020**.
12. A pre-trial hearing will be conducted on **May 7, 2020**.

13. The parties shall exchange and submit proposed jury instructions and verdict forms on or before **April 28, 2020**.
14. This matter is specially set for a six (6) week trial beginning on **JUNE 3, 2020**, with opening arguments beginning on **JUNE 8, 2020**, with all evidence concluding on or before **JULY 20, 2020**.

DONE AND ORDERED this 4th day of April, 2019.


Patricia W. Booker, Judge
State Court of Richmond County

Respectfully submitted and consented to this 3rd day of April, 2019.

/s/ John R. Bevis

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing **CASE MANAGEMENT ORDER** with the Clerk of Court using the PeachCourt Electronic File and Serve system which will automatically send email notification of such filing to the following attorneys of record:

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**admitted pro hac vice*

I further certify that I have served the foregoing by electronic mail to the office of Judge Patricia Booker.

This 5th day of April, 2019.

/s/ John R. Bevis

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